


Idaho Department of Correction 	Standard Operating Procedure Division of Community Corrections	Control Number: 701.04.02.017	Version: 2.0	Page Number: 1 of 6
		Title: Early Termination of Probation or Parole Supervision		Adopted: 10-9-2001 Reviewed: 11-2-2008 Next Review: 11-2-2010

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BOARD OF CORRECTION IDAPA RULE NUMBER 701

[Probation and Parole Supervision](#)

POLICY STATEMENT NUMBER 701

[Probation and Parole Services](#)

POLICY DOCUMENT NUMBER 701

[Probation and Parole Services](#)

DEFINITIONS

[Standardized Definitions List](#)

Community Supervision: The regular, systematic control and guidance of offenders who are (1) placed on probation or parole or (2) under the jurisdiction of the courts and/or Commission of Pardons and Parole.

Early Termination: The discontinuance of probation or parole supervision prior to the scheduled release date because the offender's performance exceeds earlier expectations.

Intrastate Transfer: The transfer of a case from one district to another in the State of Idaho.

Offender: A person under the legal care, custody, supervision, or authority of the Board, including a person within or without the State pursuant to agreement with another state or contractor.

Parolee: An offender who (1) is released from a facility by the paroling authority prior to the completion of his sentence, (2) agrees to comply with certain conditions established by the paroling authority, and (3) remains under the control of a probation and parole officer (PPO) for the established period of supervision.

Probationer: An offender who the courts allow to continue to live and work in the community--instead of being sent to prison--while being supervised by a probation and parole officer (PPO) for an established period of time.

Sex Offender: An offender who--for the purpose of this definition--has ever faced legal or social services action for (1) unlawful sexual misbehavior which resulted in an arrest, criminal charges, probation/parole violation, child protection order, or conviction--regardless of final plea agreement--or (2) criminal behavior with a sexual intent.

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PURPOSE

The purpose of this standard operating procedure (SOP) is to provide guidelines and procedures for the consideration and application for the early termination of a probation or parole period of supervision.

SCOPE

This SOP applies to all Division of Community Corrections staff members involved in the supervision and management of offenders who are under the jurisdiction of the IDOC, Division of Community Corrections.

RESPONSIBILITY

Chief of the Division of Community Corrections

The chief of the Division of Community Corrections (or designee) is responsible for overseeing probation and parole services and for ensuring district managers and supervisors comply with this SOP.

District Managers and Supervisors

District managers and supervisors are responsible for implementing this SOP and for ensuring probation and parole officers (PPOs) are following the guidelines and procedures provided herein. In addition, all managers and supervisors will be required to read this SOP annually.

Probation and Parole Officers

PPOs are responsible for practicing the guidelines and procedures provided herein. In addition, all PPOs will be required to read this SOP annually.

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GENERAL REQUIREMENTS

- With the exception of probationers convicted of a felony driving under the influence (DUI), sex offenses, **or** violent offenses, probationers and parolees shall be considered for early termination once they are in compliance with the terms of their supervision **and** all conditions are satisfied. (See [section 2](#) and [section 3](#), as applicable, for more details.)
- **Low-risk classification cases** must be reviewed by district managers every six (6) months for early termination.
- Typically, PPOs who supervise a “**regular**” **caseload** (consisting of probationers or parolees) shall submit at least two (2) early termination requests per month; the

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exception being when the PPO does not have two (2) offenders who meet the requirements for early termination.

1. Closing Reports

The PPO shall prepare Appendix A, *Case End Summary/Request for Discharge Report*, on all probationers and parolees determined to have satisfied the terms and conditions of supervision.

Note: Appendix B, *Request for Unsupervised Probation*, is also acceptable and standard in some districts.

The report should provide information on the following:

- The offender's behavior adjustment under supervision.
- The offender's access to and use of community resources utilized to adjust his behavior.
- The satisfaction of special conditions, including financial obligations.
- The PPO's assessment of the reasons for the offender's success **or** failure.

All closing reports must be reviewed and signed by the district manager or section supervisor (or designees).

2. Early Termination of Probationer or Request for Unsupervised Probation

For early termination of probationers **or** to request unsupervised probation, use the following process steps.

Functional Roles and Responsibilities	Step	Tasks CIS steps are in bold
Probation and Parole Officer (PPO)	1	<p>Ensure <u>all of the following</u>:</p> <ul style="list-style-type: none"> • That the offender has met all of his sentencing requirements. (This includes the minimum amount of time required by the court that the offender shall be under supervision.) • That the offender has complied with the conditions of his supervision. • That the offender's adjustment under supervision has been satisfactory. • That no known circumstances precluding early termination consideration exist. • That all of the offender's financial obligations have been satisfied. (This includes all obligations for past felony and misdemeanor convictions.) • That the offender has not been convicted of a felony driving under the influence (DUI), a sex offense, or violent offense. (See the General Requirements section of this standard operating procedure [SOP].) <p>Note: If any of the above criteria disqualifies the offender, the process ends here.</p>

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Functional Roles and Responsibilities	Step	Tasks CIS steps are in bold
PPO	2	Prepare and submit Appendix A, <i>Case End Summary/Request for Discharge Report</i> , <u>or</u> Appendix B, <i>Request for Unsupervised Probation</i> , (and attachments if required) to the district manager or section supervisor (or designees).
District Manager or Section Supervisor	3	Review the report for completeness and accuracy. <ul style="list-style-type: none"> <u>If report is complete and accurate</u> – Sign the report and return it to PPO. <u>If report is not complete and accurate</u> – Do not sign the report. Return it to the PPO for revision <u>or</u> reject the request in full.
PPO	4	<ul style="list-style-type: none"> <u>If approved</u> – Submit the report to county prosecutor <u>or</u> court (whichever is appropriate) for consideration. (See the note box below this table.) <u>If not approved</u> – Return to step 1 or 2 (as applicable) <u>or</u> proceed to step 5.
District Manager	5	Document in the Corrections Integrated System (CIS) as a case <i>update</i> the following: <ul style="list-style-type: none"> The submission of Appendix A <u>or</u> B, or The reason for the rejection.

For further assistance with CIS, see your designated CIS super user.

Note: If the court grants an offender unsupervised probation, the Division's obligation to the offender is limited to community resource referrals. If the offender violates the terms of his probation before full term and the violation is detected by a PPO, report the violation to the county prosecutor **or** the court (as applicable). The PPO will not actively supervise the offender unless requested by the county prosecutor **or** the court.

3. Early Termination of Parolees

The Idaho Commission of Pardons and Parole's rules for time served on parole are as follows:

- **Nonviolent Crimes** — Offenders convicted of a nonviolent crime must serve at least one (1) year on parole.
- **Sex/Violent Offenses** — Offenders convicted of a sex offense **or** a violent offense must serve at least one-third (1/3) of their remaining sentence on parole.
- **Life Terms** — Offenders sentenced to a life term must serve at least five (5) years on parole.

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For the early termination of parolees, use the following process steps.

Functional Roles and Responsibilities	Step	Tasks CIS steps are in bold
Probation and Parole Officer (PPO)	1	<p>Ensure <u>all</u> of the following:</p> <ul style="list-style-type: none"> That the Idaho Commission of Pardons and Parole's rules for time served has been met. That the offender has complied with the conditions of his supervision. That the offender's adjustment under supervision has been satisfactory. That no known circumstances precluding early termination consideration exist. That all of the offender's financial obligations have been satisfied. (This includes all obligations for past felony and misdemeanor convictions.) <p>Note: A conviction of a felony driving under the influence (DUI), a sex offense, or a violent offense <u>does not</u> disqualify the parolee for early termination.</p>
PPO	2	Prepare and submit Appendix A, <i>Case End Summary/Request for Discharge Report</i> , to the district manager or section supervisor (or designees).
District Manager or Section Supervisor	3	<p>Review the report for completeness and accuracy.</p> <ul style="list-style-type: none"> <u>If report is complete and accurate</u> – Sign the report and return it to PPO. <u>If report is not complete and accurate</u> – Do not sign the report. Return it to the PPO for revision <u>or</u> reject the request in full.
PPO	4	<ul style="list-style-type: none"> <u>If approved</u> – Submit the report to Idaho Commission of Pardons and Parole for consideration. <u>If not approved</u> – Return to step 1 or 2 (as applicable) <u>or</u> proceed to step 5.
District Manager	5	<p>Document in the Corrections Integrated System (CIS) as a <i>case update</i> the following:</p> <ul style="list-style-type: none"> The submission of Appendix A, or The reason for the rejection. <p>Note: When received, the Idaho Commission of Pardons and Parole's decision must also be documented.</p>

For further assistance with CIS, see your designated CIS super user.

4. Intrastate Discharge Reports

- The PPO will complete all of the requirements listed in [section 1](#).
- The supervising district will send Appendix A to the district manager of the district of origin.

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- The district manager or section supervisor in the district of origin will ensure the closing reports (see [section 1](#)) are properly completed and are forwarded to the appropriate authority.

REFERENCES

Note: Unless attached to this SOP, appendixes will be maintained and provided by the Division of Community Corrections. Please contact the Division for any appendix listed below that is not attached to this SOP.

Appendix A, *Case End Summary/Request for Discharge Report*

Appendix B, *Request for Unsupervised Probation*

Department Policy [701](#), *Probation and Parole Services*

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